

Message Text

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E.O. 11652: GDS

TAGS: PINT, RP

SUBJ: MARCOS' SPEECH ON REFERENDUM AND LEGISLATURE

BEGIN SUMMARY: IN MAJOR SPEECH SEPT 16, PRESIDENT MARCOS SAID OCTOBER 16 REFENDUM WOULD RESOLVE "CONSTITUTIONAL STALEMATE" CREATED BY CONSTITUTIONAL PROVISIONS CALLING FOR CONVENING OF INTERIM NATIONAL ASSEMBLY (INA) AND PEOPLE'S DECISION IN 1973 REFENDUM THAT IT NOT BE CONVENED. REFENDUM WILL PROBABLY POSE TWO QUESTIONS; ONE ON CONTINUATION OF MARTIAL LAW AND SECOND ON AMENDING CONSTITUTION TO ELIMINATE INA AND TO STRUCTURE GOVERNMENT SO THAT GAINS OF NEW SOCIETY NOT ENDANGERED. ELECTIONS FOR NEW LEGISLATURE MIGHT COME IN 1977 BUT WILL DEPEND ON HOW REFERENDUM CONDUCTED. MARCOS ALSO TOUCHED ON FORM OF NEW LEGISLATURE STRESSING IT WOULD BE CAREFULLY CONTROLLED BY EXECUTIVE. COMMENT ON SPEECH SEPTEL. END SUMMARY.

1. CONSTITUTIONAL STALEMATE. PRESIDENT MARCOS MADE MAJOR SPEECH TO MANILA ROTARY SEPTEMBER 16 ON UPCOMING REFERNDUM AND PLANS TO RETURN TO "NORMALCY". AFTER EMPHSIZING THAT LEGISLATIVE POWER RESIDES IN PRESIDENT UNDER MARTIAL LAW, MARCOS SAID HE FELT "WE COULD NOT CONTINUE WITHOUT A LEGISLATURE INDEFINITELY." NEVERTHELESS HE WAS FACED WITH CONSTITUTIONAL STALEMATE. HE COULD SUMMON INA BUT PEOPLE HAD DECIDED AGAINST THIS IN 1973 REFERENDUM.

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RECENT CREATION OF LEGISLATIVE ADVISORY COUNCIL (SEE

MANILA 14020) - WAS STEP TOWARD PARLIAMENTARY GOVERNMENT BUT BATASAN NG BAYAN SHOULD NOT "BE MISTAKEN AS REPLACING THE INA." "THE INA MUST STILL BE CONVOKED. I AM MANDATED BY THE CONSITUTION TO CONVOKE THE INA BUT AM DIRECTED BY THE PEOPLE NOT TO CONVENE IT. THE PEOPLE MUST DECIDE WHAT SHOULD BE DONE TO RESOLVE THIS CONSTI-TUTIONAL DILEMNA." WHILE THIS DILEMMA NOT OF HIS OWN MAKING, MARCOS SAID HE TOOK IT UPON HIMSELF TO SOLVE IT BY CONSULTING WITH PEOPLE. THESE CONSULTATIONS HAVE REVEALED CONSENSUS THAT PEOPLE DO NOT WANT INA CONVENED.

2. RESOLVE STALEMATE BY REFERENDUM. MARCOS SAID EXPERTS HAVE RECOMMENDED THAT PEOPLE BE ASKED WHETHER THEY ARE READY TO REPLACE INA WITH ANOTHER "INTERIM LEGISLATURE." QUESTION SHOULD BE SUBMITTED TO PEOPLE IN FORM OF CONSTI-TUTIONAL AMENDMENT BECAUSE THERE IS NO OTHER WAY OF FORMALIZING DECISION OF THE PEOPLE "RENDERING INA INOPERABLE". "NOT EVEN THE PRESIDENT WITH ALL OF HIS POWERS UNDER MARTIAL LAW CAN AMEND THE CONSITUTION WITHOUT THE RATIFICATION OF THE PEOPLE. THUS, REFERENDUM IS NECESSARY TO AMEND THE CONSTITUTION SINCE, UNTIL IT IS AMENDED, THE INA EXISTS AND "WE CANNOT MOVE TO THE NEXT PHASE IN POLITICAL SOCIAL AND ECONOMIC EVO-LUTION."

3. AMEND CONSTITUTION. SINCE IT WOULD BE IMPRACTICAL TO ASK PEOPLE IN REFERENDUM WHAT SPECIFIC AMENDMENTS THEY WANT, MARCOS SAID HE WAS TAKING INITIATIVE AND WOULD PROPOSE CERTAIN AMENDMENTS WHICH COULD BE SUBMITTED TO VERDICT OF THE PEOPLE. MARCOS INDICATED HE WAS NOW THINKING OF ONLY TWO QUESTIONS FOR REFERENDUM "TENTA-TIVELY SET" FOR OCTOBER 16. FIRST WOULD BE "DO YOU WANT MARTIAL LAW TO CONTINUE," AND SECOND "DO YOU APPROVE AMEND-MENTS TO THE CONSITUTION SUCH AS THE CREATION OF AN INTERIM LEGISLATIVE ASSEMBLY IN LIEU OF THE INA PRO-VIDED FOR IN THE TRANSITORY PROVISIONS OF THE CONSTITU-TION: THE PROVISION FOR A SOCIA-ECONOMIC AND POLITICAL-COPING MECHANISM TO SAFEGUARD THE GAINS TO THE NEW SOCIETY, WITH OR WITHOUT THE PROCLAMATION OF MARTIAL LAW AND OTHERS CLARIFYING THE POWERS EXERCISED BY THE UNCLASSIFIED

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PRESIDENCY." FYI. THIS WAS TEXT CARRIED IN BRIEF EXTRACT FROM SPEECH IN THIS AFTERNOON'S EVENING POST. DURING ACTUAL DELIVERY PRESIDENT AVOIDED THIS CONVO-LUTED FORMULATION ALTHOUGH WHAT HE SUGGESTED WAS SUB-STANTIALLY THE SAME. END FYI.

4. POSSIBLE ELECTIONS. PRESIDENT WAS HAZY ON WHEN ELECTIONS MIGHT BE HELD FOR NEW LEGISLATIVE BODY

"BECAUSE WE DO NOT KNOW WHETHER THE PEOPLE WILL RATIFY OR CREATE A NEW INA. "IF WE CALL ELECTIONS IN MIDDLE OF SUMER OF NEXT YEAR WILL DEPEND ON HOW WE CONDUCT THE REFERENDUM, ON HOW THINGS DEVELOP." MARCOS SAID HE WAS BOUND BY DECISION OF PEOPLE IN 1973 THAT THERE BE NO ELECTIONS IN SEVEN EYARS, ALTHOUGH "I FEEL WE MOVED FASTER THAN WE THOUGHT."

5. SHAPE OF NEW LEGISLATURE. MARCOS SAID HE WAS THINKING OF BODY OF 100 TO 120 MEMBERS. THE PRIME MINISTER AND CABINET WOULD DETERMINE LENGTH OF SESSIONS AND DETERMINE WHAT MATTERS CAN BE TAKEN UP IN THE VARIOUS COMMITTEES. MARCOS STRESSEST EVERY EFFORT WOULD BE MADE TO AVOID IT TURNING INTO AN "INVESTIGATING AND EXTORTING BODY" LIKE THE OLD CONGRESS. MARCOS SAID "THE BURDEN OF PROOF THAT THE NEW LEGISLATURE WILL NOT BE LIKE THE OLD IS STILL WITH US," BUT PROMISED THE EXECUTIVE WOULD HAVE SUFFICIENT POWERS SO THAT "EVEN WITHOUT MARTIAL LAW, WE SHALL BE ABLE TO PROTECT THE GAINS OF THE NEW SOCIETY."

6. MOVE TOWARD NORMALCY. MARCOS CONCLUDED HIS SPEECH BY ASKING FOR THE NATION'S TRUST. HE HAS MOVED INTO PHASE OF REPLACING INA BECAUSE "THERE NO OTHER ALTERNATIVE." HE ASKED FOR SUPPORT BUT ASSURED HIS AUDIENCE THAT IN OVE TO "NORMALCY" "WE ARE DOING SO WITH ALL THE SAFEGUARDS ON THE GAINS OF THE NEW SOCIETY."

7. COMMENT FOLLOWS SEPTEL.
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